

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

SOUTHERN DIVISION

FILED

AUG 25 2008

[Signature]
CLERK

DUANE FLEMING,

*

* CIV 07-4121

Plaintiff,

*

* JUDGMENT OF DISMISSAL

vs.

MOTEL 6, INC.,

*

*

Defendant.

*

*

Based upon the Stipulation for Dismissal, and Plaintiff's Motion to Dismiss, it is hereby,

ORDERED, ADJUDGED AND DECREED that the Complaint of the Plaintiff is hereby dismissed upon the merits, with prejudice, and with each party to pay its own costs and attorney's fees.

Dated this 25th day of August, 2008.

BY THE COURT:

[Signature]
Lawrence L. Piersol
United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

BY: Shelly Margulies
DEPUTY